

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. v. Todd Allen Fulcher

Docket No. 4:12-CR-108-1BO

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Todd Allen Fulcher, who, upon an earlier plea of guilty to Bankruptcy Fraud, in violation of 18 U.S.C. § 157(3), and Destruction, Alteration, or Falsification of Records in Federal Investigations and Bankruptcy, in violation of 18 U.S.C. § 1519, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on September 24, 2013, to the custody of the Bureau of Prisons for a term of 6 months (credit for time served). It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Todd Allen Fulcher was released from custody on September 24, 2013, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 30, 2016, a trooper with the North Carolina Highway Patrol arrested and charged Fulcher with Driving While Impaired (16CR50147), Operating a Vehicle With No Insurance (16CR700286), and Possessing Fictitious or Altered Registration Card or Tag (16CR700286) in Beaufort County, North Carolina. He was released from custody on the same date under a \$500 secured bond. According to the trooper, he initiated a traffic stop of the defendant's vehicle after observing him weaving within his (Fulcher's) lane of travel subsequent to leaving a local bar. The trooper also advised that the defendant's vehicle had no insurance and possessed a fictitious license plate. Fulcher was ultimately administered a breathalyzer which revealed a blood alcohol content score of 0.13. According to the trooper, the defendant admitted to consuming 5 to 6 beers prior to operating his vehicle. Fulcher also reportedly stated to the trooper that his vehicle did not possess insurance or a valid license plate because he had purchased the vehicle earlier that day. In addition to his admission of alcohol use to the trooper, the defendant admitted to the undersigned probation officer that he had consumed several beers before the traffic stop. As sanctions for Fulcher's conduct, it is respectfully recommended that his supervised release be modified to include alcohol abstinence, drug aftercare, and 10 days of intermittent confinement. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall be confined in the custody of the Bureau of Prisons from 8:00 a.m. Sunday until 4:00 p.m. Monday for a period of 5 consecutive weeks, totaling 10 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

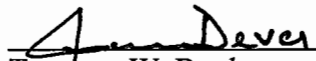
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: 252-830-2348
Executed On: February 3, 2016

ORDER OF THE COURT

Considered and ordered this 4 day of February, 2016 and ordered filed and
made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge